

worked to integrate the aviation and missile cultures. He continued to work closely with the Commanding General to ensure the uninterrupted accomplishment of the procurement, readiness, and materiel development missions and functions of the command.

In addition to Mr. Young's exemplary career, his frequent participation in seminars and workshops designed for senior government executives demonstrated his continual desire to better himself and improve his technical and managerial capabilities. Moreover, Mr. Young's involvement in such noteworthy associations as the American Society of Military Comptrollers, American Institute of Physics, Society of Logistics Engineers, the American Society for Public Administration and Rotary Club, exemplify his steadfast commitment to professional improvement and civic duty.

Mr. President, for 40 years, Ernest Young has been an asset to the U.S. Army, Alabama, and the nation. On behalf of the United States Senate and a grateful nation, I thank Mr. Young for his dedicated service as he closes one chapter in his life and begins another.

#### MICROSOFT

Mr. GORTON. Mr. President, the U.S. Senate is the world's greatest deliberative body. The U.S. economy is the world's greatest free market. Lately, it seems my friend and colleague from Utah, Senator HATCH, the distinguished chairman of the Senate Judiciary Committee, would like to use the one to squash the other.

As my colleagues and most Americans know, Senator HATCH has joined forces with the success-busters of the Antitrust Division of the Department of Justice to carve out a special place in the market for companies that cannot compete on their own merits. All of this is being done at the expense of one of America's most successful and innovative companies—Microsoft.

Last week, the Judiciary Committee, for the third time this year, served as a forum for frustrated business executives who have been outsmarted and out-innovated by Microsoft.

I have continually voiced my objections at the Senate Judiciary's Committee's insistence on inserting itself into battles that should be fought in the free market, not in the Halls of the U.S. Senate or in the Justice Department. I have asserted my opinion that U.S. antitrust laws were written with the intent of protecting consumers, not inferior companies. And I have stood up against those who would like to see the federal government, not the free market, decide which companies are successful in this country and which are not.

But Senator HATCH has offered his committee as a haven for the unwashed masses of corporate America, sheltering the weak and wary from the harsh brutality of the free market.

This debate has been just that, Mr. President, a debate between two Sen-

ators with very different opinions on a matter of importance to both Senators and to the nation as a whole.

Earlier this week, however, I learned of something that troubles me deeply, both as a Senator and as an American.

In the July 29, issue of *Investor's Business Daily* Senator HATCH was interviewed about his views on Microsoft. As my colleagues will recall, one of the witnesses at last week's hearing was Rob Glaser, CEO of a company in my home state called RealNetworks, a Microsoft competitor. Allegations arose at the hearing, supported by an affidavit from a senior Microsoft executive, that Mr. Glaser had attempted to use his testimony as a negotiating tool in his ongoing battle with Microsoft.

According to the affidavit, Mr. Glaser, the night before he was to testify before the Judiciary Committee, called a senior Microsoft executive and offered to "negotiate all night if that's what it takes" to come to terms with Microsoft. The affidavit states that "Mr. Glaser said that if the negotiations he proposed . . . resulted in an agreement between the two companies, he would not testify the next day.

These allegations are disturbing to me, and I had hoped, to Senator HATCH as well.

But Senator HATCH, in his interview with *Investor's Business Daily* seems to support Mr. Glaser's attempt to use the Judiciary Committee as a tool in his negotiations with Microsoft.

When asked about the allegations, Senator HATCH said, "Glaser said he did not (use the testimony as a negotiating weapon), but what if he did? He's a guy trying to save his business. . . ." The distinguished Senator from Utah goes on to say of witnesses that testify before his committee, "if they gain something by coming, all the better as far as I'm concerned, as long as they tell the truth."

It may be incidental to this attitude, Mr. President, but important in the public's mind that it turns out that Microsoft Media Player 5.2 did not disable RealNetworks' new G-2 player—in fact, the culprit was a bug in the player itself—not only in Microsoft's tests, but in those of a number of independent experts as well. So far, Senator HATCH has ignored this unpleasant news.

Our founding fathers must be turning over in their graves, Mr. President. The United States Senate was never intended to be, and should never be, used as negotiating tool for companies trying to compete in the free market. In fact, the United States Senate was designed, among other things, to protect that very free market. That should continue to be our goal.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and one nomination which was referred to the Committee on Environment and Public Works.

(The nomination received today is printed at the end of the Senate proceedings.)

#### REPORT CONCERNING THE ARAB LEAGUE BOYCOTT OF ISRAEL—MESSAGE FROM THE PRESIDENT—PM 154

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

#### *To the Congress of the United States:*

In accordance with the request contained in section 540 of Public Law 105-118, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998, I submit to you the attached report providing information on steps taken by the United States Government to bring about an end to the Arab League boycott of Israel and to expand the process of normalizing ties between Israel and the Arab League countries.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 30, 1998.

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on July 31, 1998, during the adjournment of the Senate, received a message from the House of Representatives announcing that House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4354. An act to establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 114. Concurrent resolution providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1835) to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes.